

**UNITED STATES DISTRICT COURT**

EASTERN DISTRICT OF CALIFORNIA

ANTWONE STOKES,

Plaintiff,

v.

CHEEK, *et al.*,

Defendants.

Case No. 1:24-cv-00691-BAM (PC)

ORDER STRIKING PLAINTIFF’S REPLY  
TO DEFENDANTS’ ANSWER

(ECF No. 34)

Plaintiff Antwone Stokes (“Plaintiff”) is a state prisoner proceeding *pro se* and *in forma pauperis* in this civil rights action pursuant to 42 U.S.C. § 1983. This action proceeds against Defendants Cheek, Orcullo, and Alvarez<sup>1</sup> (“Defendants”) for failure to protect and denial of medical care in violation of the Eighth Amendment. The case is currently stayed and is set for a settlement conference on May 27, 2025 before Magistrate Judge Stanley A. Boone. (ECF No. 33.)

On March 4, 2025, Defendants answered Plaintiff’s complaint. (ECF No. 31.) On March 31, 2025, Plaintiff filed what appears to be a response to Defendants’ answer and the Court’s order setting this case for a settlement conference. (ECF No. 34.) The filing is not signed.

In relevant part, the Federal Rules of Civil Procedure provide that there shall be a complaint, an answer to a complaint, and, if the court orders one, a reply to an answer. Fed. R.

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<sup>1</sup> Erroneously sued as “Okri” and “Alvarez.”

1 Civ. P. 7(a). The Court has not ordered a reply to Defendants' answer and declines to make such  
2 an order.

3 In addition, both the Federal Rules of Civil Procedure and this Court's Local Rules require  
4 that all filed pleadings, motions and papers be signed by at least one attorney of record or by the  
5 party personally if the party is unrepresented. Fed. R. Civ. P. 11(a); Local Rule 131(b). As  
6 Plaintiff's filing is unsigned, the Court must strike it from the record. All future filings must  
7 contain Plaintiff's signature to be accepted for filing.

8 Accordingly, Plaintiff's reply to Defendants' answer, filed March 31, 2025, (ECF No. 31),  
9 is HEREBY STRICKEN from the record. This case remains scheduled for a settlement  
10 conference on May 27, 2025.

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12 IT IS SO ORDERED.

13 Dated: April 1, 2025

14 /s/ Barbara A. McAuliffe  
15 UNITED STATES MAGISTRATE JUDGE  
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